

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and the reasons which follow.

Claims 1-3, 5, 7 and 12 have been amended and claims 4, 6, 8-11 and 13-32 have been cancelled. New claims 117 and 118 represent the program product and system implementations of amended claim 1. Additionally, new claims directed to the operations at a remote site, and new claims directed to the operations at a central site have been added to further protect applicants invention. The invention in a method format is claimed in claims 33-60. The invention in a program product format is claimed in claims 61-88. The invention in a system format is claimed in claims 89-116. Accordingly claims 1-3, 5, 7, 12, and 33-118 are presented for examination.

The present invention is focused on a unique set of operations, electronic queries, and steps creating, using and manipulating check images in order to speed the operation of depositing checks, as well as to reduce the amount of paper flow, handling, storage and returns used in current banking systems. The use of an original check image file and an endorsed check image file in a unique sequence of process steps, a substantial majority of which are implemented by electronic queries and responses in a claimed communication operation, facilitates transactional operations and/or verification and for ultimate transfer throughout the banking system (as contrasted to archival purposes), and is new, unique, and revolutionary in banking circles.

Newly amended claim 1 recites the step of converting at the remote location deposits into electronic data including both deposit information and image data for one or more monetary items associated with the deposit; the step of obtaining an accuracy confirmation of the deposit information and the image data from a financial institution based upon account information associated with the depositor of the deposit; and the step of upon the electronic data being verified as accurate, creating a second image of each of the one or more monetary items associated with the deposits at the remote location, with each of these second images having at least one of endorsement

information and voiding information included thereon, and finally crediting an account according to the electronic data.

Likewise, a new claim 33 has been added to focus on the operations of the remote site. This claim includes the steps of obtaining electronic deposit data for one or more original checks; converting data for each of the one or more original checks into electronic check data; creating an image of the original checks to obtain original check image data; receiving at least one of endorsement and voiding authorization from an external site after receipt of the original check by the external site; endorsing and/or voiding the original check to obtain an endorsed check; creating an image of the endorsed and/or voided check to obtain endorsed and/or voided check image data; electronically associating the electronic deposit data, the electronic check data and the original check data and/or the endorsed check image data; and transmitting the electronically associated electronic check data and the original check image data and/or the endorsed check image data directly or indirectly to a maker bank or a print site associated therewith.

Likewise, a set of claims for operations at the central processing site has been provided. Claim 47 comprises the steps of receiving electronic check data and original check image data; identifying errors in the electronic check data; if no errors are identified, sending endorsement and/or voiding authorization to the remote site; receiving endorsed and/or voided check image data; sorting the check data; and transmitting electronically associated electronic deposit data, electronic check data and the original check image data and/or endorsed and/or voided check image data directly or indirectly to a maker bank or a print site associated therewith.

It can be seen that these amended and new claims are directed to transactional and sending operations based on endorsed check image data or original check image data or both.

Referring now to the Examiner's rejection, the Examiner has rejected the claims under both 35 U.S.C. §102(a) or §103 over the Geer Patent Number 5,930,778. This rejection, as it may be applied to the amended and new claims, is respectfully traversed.

Geer is directed to effecting the expedited submission of checks into a payment system for collection of funds received by a payee such as a telephone company at a remote item capture facility of the telephone company, and then submitting financial information from these items into the payment system to be received by the payee's depository bank. Thus Geer describes a typical lockbox operation for such payees as telephone companies which receive checks associated with a payment stub. See column 6, lines 40-58. As described at column 7, beginning at line 40, a check received at this remote site is scanned by a suitable reader. The step may include a verification by a human operator comparing the electronic data obtained from the scan with the physical check and the payment stub. The data collected from the scan typically will include the MICR data from the MICR lines of the check. In the practice of the Geer patent, the electronic endorsements on behalf of the payee and the depository bank are applied to the electronic record of the check, and a document identification number is generated and added to the electronic record of the check to aid in subsequent location and retrieval of the information. It is noted at column 8, line 10 that it is contemplated to create an image of the check for archival storage 8 prior to possible disposition of the paper instrument 9. It is noted that this image of the check is capable of later retrieval. See column 8, line 23. At column 9, lines 1-4, it is stated that the image of the check may also be transmitted electronically to the depository bank along with other information extracted from the check. It is noted at column 10, lines 1-6 that the image 7 is transferred via the communication link 11 from the payee to 2 to the depository bank 10 for financial information processing and archival storage. Finally, it is stated that the payee's account is credited with the appropriate amounts as such are compiled by the payee. See column 9, lines 14-18. It is stated that the depository bank may sort the various depository information it receives and then send batches of this information into the payment system 12. It is stated at column 9, lines 41-45 that the check information from the payment system reaches the appropriate payor bank 16 for proper debiting the accounts of the checkwriters 1, thus completing the payment cycle.

Referring now to amended claim 1, Geer does not disclose creating a second image of the one or more monetary items associated with the deposit at the remote location, with each of the second images having at least one of endorsement

information and voiding information included therein. Additionally, Geer does not disclose electronically exchanging the second images with the financial institution. Additionally, Geer does not disclose verifying the accuracy of the deposit information and the image data at a financial institution based upon account information associated with the depositor of the deposit.

Likewise, referring to claim 33 directed to processing at a remote site, Geer does not disclose the combination of steps with the step included in the combination of receiving at least one of endorsements and voiding authorization from an external site after the receipt of the deposit information by that external site. This step points up the fact that the claimed aspect of the remote site does not independently endorse and void checks in a deposit transaction. Additionally the unique combination of steps includes the step of after endorsing and/or voiding the original check to obtain an endorsed check, "creating an image of the endorsed and/or voided check to obtain endorsed and/or voided check image data" and then "electronically associating the electronic deposit data, the electronic check data and the original check image data and the endorsed check image data." Finally and importantly, there is no step of "transmitting the electronically associated electronic check data and the original check image data and/or the endorsed and/or voided check image data directly or indirectly to a maker bank or a print site associated therewith." This last step clarifies further that the image flow of the check all the way to the maker bank or a printer site associated therewith is a critical component of the inventive banking system. Geer does not disclose any of these steps.

Referring to claim 34, the endorsing and/or voiding step comprises sending the electronic deposit data, the electronic check data, and the original check image data to a first processing location; receiving a notice from the first processing location that selected errors were not found in the electronic deposit data and/or electronic check data; and printing endorsement and/or voiding information on the original check to obtain the endorsed check. Geer does not disclose this process.

Additionally, with respect to claim 36 the step is provided of storing at least one of the original check image data and the endorsed check image data on a server

accessible from the Internet. See page 25, lines 13 and page 33, line 1. This concept is not disclosed or suggested by Geer.

The interrelationship of the operation of the remote site with a first processing site is further emphasized in claim 38 wherein it is determined if endorsement information at the remote site for printing on the check is up-to-date; and if the endorsement information at the remote site is not up-to-date, then downloading updated endorsement information from a first processing location. In this regard, see page 16, lines 5-20 and page 17, lines 17-19 of the specification.

Additionally, claim 39 further describes the step of comparing an amount of a deposit or an amount of one or more checks against a deposit maximum, and providing a rejection notice if the deposit exceeds the deposit maximum. In this regard, see the specification at page 16, lines 1-20 and page 29, lines 11-12.

Additionally, referring to claim 40 the step is provided of adding control information to the transmission of the original check image data and/or the endorsed and/or voided check image data preparatory to the transmission step. In this regard, see page 18, lines 7-8 and page 21, lines 4-5.

Referring to claim 41, the step is disclosed of storing the original check image data at the remote site.

Referring to claim 42, the step of creating an image of the original check is defined as comprising scanning the original check and if the original check is removed before completion of the scanning, then designating the electronic check data associated with the original check image data as invalid. In this regard, see the specification at page 25, lines 18-21.

Referring to new claim 43, a further step is provided of receiving return check image data for a returned check coupled with a reference key for an original deposit transaction. In this regard, see the specification at page 27, lines 6-18.

Referring to new claim 44, the step is provided of sending the return check image data with the reference key directly or indirectly to the maker bank for re-

presentment. In this regard, see applicant's specification at page 27, lines 19-23 and page 34, lines 4-21.

The foregoing operations and electronic query and response sequences of the remote site within an overall banking system in accordance with the present invention are not disclosed or suggested by the Geer reference.

Referring to new claim 47, this claim is directed to processing at a central site a check deposited at a remote site. Note that Geer does not disclose the concept of using a central processing site. In particular, Geer does not disclose a method sequence of receiving electronic check data and original check image data for a plurality of checks to be deposited, identifying errors in the electronic check data, if no errors are identified, sending endorsement and/or voiding authorization to the remote site; receiving endorsed and/or voided check image data; sorting the received data; and transmitting electronically associated electronic check data and the original check data and/or the endorsed and/or voided check image data directly or indirectly to a maker bank or a print site associated therewith. Geer simply does not disclose this sequence of operations.

Referring to claim 49, the receiving step is further defined to comprise receiving electronic check data and original check image data for a plurality of different deposits, each one of the plurality of different deposits to be deposited at a different bank of first deposit; and sending each one of the plurality of different deposits to a respective different bank of first deposit. This claim further clarifies a clearinghouse nature of the central site because of the fact that it operates with a plurality of different bank of first deposits. This aspect is not disclosed in Geer.

Referring to claim 51, a further step is provided in the sequence of storing at least one of the original check image data and the endorsed and/or voided check image data on a server accessible from the Internet. In this regard, see page 19, line 14; page 25, line 13; and page 31, lines 6-10.

In a further embodiment of the present invention, claim 52 includes the steps of determining if the maker bank requires a hardcopy of the check; and if it does, sending the original image data to a print site; and if not, sending the original check image data directly or indirectly to the maker bank.

Referring to claim 53, a further embodiment is described that includes the additional steps of determining if the maker bank requires a hardcopy of the check; if it does, printing a copy of the check from the original check image data and forwarding directly or indirectly the printed check to the maker bank; and if it does not, sending the original check image data directly or indirectly to the maker bank.

In new claim 54, a further step is provided of sending a notice to the remote site if the original check image and/or the endorsed and/or voided check image data is inaccurate or unreadable. In this regard, see page 18, lines 21-22.

Referring to new claim 55, an embodiment of the invention is disclosed comprising the sequence of steps including after receiving the endorsed check image data, sending an electronic notification to the remote site that a deposit is complete. In this regard, see page 25, lines 3-8 and page 31, line 10.

Referring to new claim 56, an embodiment of the invention is disclosed including the step of formatting the electronic check data and the original check image data for processing in an accounting system of the bank of first deposit. In this regard, see page 26, lines 3-7.

Referring to claim 57, an embodiment of the present invention is disclosed comprising a sequence of steps including the step of determining if a bank of first deposit is a maker bank for the original check; and if it is the maker bank, then determining if the maker bank requires a hardcopy of the original check; if the maker bank does require a hardcopy of the original check, then causing a copy of the original check to be printed; and if the maker bank does not require a hardcopy of the original check, then sending the original check image data to the maker bank. In this regard, see applicant specification at page 26, lines 8-11 and page 33, line 20.

Referring to new claim 60, the method further includes the steps of determining if a re-presentment of the returned check requires a duplicate hardcopy of the check or if the original check image data is acceptable for the re-presentment, and if the original check image data is acceptable, obtaining a reference key associated with an original deposit transaction, and sending directly or indirectly the original check image data and the reference key to the maker bank.

The Geer reference does not disclose the concept of the use of a central site much less the various electronic query and response sequence embodiments of the central site disclosed in the claims dependent on independent claim 47.

It is noted that the Examiner has taken official notice of a number of limitations including the verifying check data step and the converting process check data into the electronic check data by scanning to create check image data and image data representing an electronic image of the processed check, and the Examiner has also taken official notice regarding verifying processed check data with account records, printing a facsimile of a check from processed check data when a maker bank is not electronic exchange-capable, and forwarding the facsimile of the check to the maker bank. In accordance with MPEP 2144.03, applicants traverse/challenge these official notice statements based on personal knowledge and request that each point of official notice be supported by a citation to a reference, as set forth by the MPEP Office requirements. This traverse of the official notice is made insofar as these statements of official notice are applied to the claims as amended.

In view of the foregoing amendments and remarks, the application is ready for allowance.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees; and applicant(s) hereby petition for any needed extension of time.

Version with Markings to Show Changes Made

1. [Amended] A method for processing a [check] deposit by a depositor of one or more original checks and deposit information[deposited] at a remote location, said remote [locations including financial institutions and other locations] location being capable of interfacing with [said] a financial [institutions]institution, said method comprising the steps of:

(a) converting] obtaining at said remote location deposit account information from the deposit information, and [said check into]electronic check data and original check image data from each of the one or more checks;

[b)]electronically exchanging said check data with said financial institution and obtaining an accuracy confirmation of said deposit account information from the financial institution based upon account information associated with the depositor; and

(c) said financial institution crediting an account according to said check data]upon the deposit account information being verified as accurate, endorsing and/or voiding the one or more original checks, and creating at the remote location second image data of the one or more original checks that have been endorsed and/or voided;
and
sending the second images and said deposit account information to said financial institution.

2. [Amended] The method as recited in claim 1, wherein [converting] said obtaining step comprises the steps of:

a) scanning said [check]one or more original checks to create image data, said image data representing an electronic image of each of said [check]one or more checks;
and

b) reading said image data to create informational data from said image data to aid in electronic processing of said deposited check.

3. [Amended] The method as recited in claim 2, wherein said [converting]obtaining step further comprises the step of:

a) reading at least a portion of said [check]one or more original checks to determine additional informational data stored in a Magnetic Ink Character Recognition (MICR) line.

5. [Amended] The method as recited in claim [4]1, wherein said endorsing and/or voiding [financial institution confirming said check data] step comprises the [steps]step of:

[a] said financial institution acknowledging to said remote location receipt and accuracy of said check data; and]

[b] said financial institution sending]receiving endorsement and/or voiding information[to said remote location].

7. [Amended] The method as recited in claim 5[6], wherein said endorsing and/or voiding steps are further comprised of the step of:

a) printing [on] said endorsement and/or voiding information on said check.

12. [Amended] The method as recite in claim [4]1, [wherein said crediting said account according to said check data step further comprises]further comprising the step of:

a) when said financial institution is not the maker bank of said check, sending one of said original check image data or second image data[said processed check data] to said maker bank for clearing said check.